

REMARKS

INTRODUCTION

In accordance with the foregoing, claims 1, 3, 9, and 11 have been amended. No new matter is being presented, and approval and entry are respectfully requested. Therefore, claims 1-16 are pending and under consideration. Reconsideration is respectfully requested.

OBJECTION TO THE TITLE

In the Office Action, at page 2, numbered paragraph 3, the title was objected to as not being descriptive. However, in view of the proposed amended title set forth above, the outstanding objection to the title should be resolved.

REJECTION UNDER 35 U.S.C. §102

In the Office Action, at page 2, numbered paragraph 5, claims 1, 2 and 9-10 were rejected under 35 U.S.C. §102 as being separately anticipated by Klimley et al. (U.S. Patent No. 6,353,722) and by Wang (U.S. Patent No. 6,546,225). These rejections are traversed and reconsideration is requested.

Briefly, and in relevant part, applicants note that amended claim 1 recites “a wasted toner container, with multiple inlets through which wasted toner enters the wasted toner container, which accommodates wasted toner that is generated by a print unit that prints an image on a print paper by an electrophotographic method using dry toner; and a dispersing member inside the wasted toner container, dispersing the wasted toner from the multiple inlets inside the wasted toner container by rotation of the dispersing member.” Similarly, amended claim 9 recites “a wasted toner container accommodating the wasted toner; multiple inlets through which wasted toner enters the wasted toner container; and a dispersing member inside the wasted toner container, dispersing the wasted toner from the multiple inlets inside the wasted toner container by rotation of the dispersing member.”

Calling attention to the newly recited “multiple inlets” and the fact that the wasted toner may be dispersed “from the multiple inlets,” applicants note that the reference to Klimley does not disclose multiple inlets or a dispersing member that is able to disperse wasted toner from multiple inlets. Rather, Klimley, which is directed to a container for collecting waste developer in

an electrostatographic printing machine, discloses a waste bottle 4 into which an auger 42 transports waste developer. According to Klimley, the auger 42 is rotated and thereby transports waste developer through the auger tube 40 and into the waste bottle 4. During the transportation of the waste developer the reference makes clear that the waste developer travels past the overflow chamber 60. Thus, since Klimley only discloses one overflow chamber 60, applicants logically assert that waste developer can only enter the waste bottle 4 in one location.

Similarly, the reference to Wang, which is directed to a waste toner container and auger therefore, discloses that waste toner enters the container 12 and moves toward the back wall 22 by the rotation of the auger 14. Although, Wang does not specify that waste toner enters the container 12 through only one inlet, the fact that the reference discloses only one general direction for the waste toner to move once inside the container 12 implies that only one inlet is available.

Therefore, since the references to Klimley and Wang disclose either explicitly or implicitly only one location for the waste developer or waste toner to enter the waste bottle 4 or the container 12, respectively, and the claimed invention discloses multiple inlets, applicants assert that claims 1 and 9 are patentably distinguished over Klimley and Wang and that the rejection of these claims is overcome.

Regarding the rejections of claims 2 and 10, applicants note that these claims depend from claims 1 and 9, respectively, and are therefore allowable for at least the reasons noted above.

REJECTION UNDER 35 U.S.C. §103

In the Office Action, at page 5, numbered paragraph(s), claims 6-8, and 14-16 were rejected under 35 U.S.C. §103 in view of Wang. However, applicants note that since these claims are dependent on claims 1 and 9, claims 6-8 and 14-16 are allowable for at least the reasons noted above.

ALLOWABLE SUBJECT MATTER

Applicants acknowledge with appreciation that claims 3-5 and 11-13 have been found to contain allowable subject matter and note that claims 3 and 11 have been rewritten in independent form. Therefore, it is respectfully requested that claims 3-5 and 11-13 be formally allowed.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

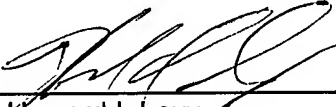
If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: August 9, 2004

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